

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Julie Straub, David Altreuter, Howard Bernstein, Donald E. Chickering, III,  
Sarwat Khattak, and Greg Randall

Serial No.: 10/053,929

Group Art Unit: 1613

Filed: January 22, 2002

Examiner: Blessing M. Fubara

For: *POROUS DRUG MATRICES AND METHODS OF MANUFACTURE THEREOF*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF TERMINAL DISCLAIMER**

Sir:

Responsive to the telephone conference with the Examiner on October 6, 2010,  
Applicants hereby submit a Terminal Disclaimer and three (3) Statements under 37 C.F.R. § 3.73  
(b). The Commissioner is hereby authorized to charge \$140, the fee for a Statutory Disclaimer  
for a large entity, to Deposit Account No. 50-3129. It is believed that no additional fee is  
required with this submission. However, should a fee be required, the Commissioner is hereby  
authorized to charge the fee to Deposit Account No. 50-3129.

**Remarks**

In its decision mailed August 20, 2010, the Board of Patent Appeals and Interferences reversed the only rejection of the claims, *i.e.* the rejection of claims 16-21 and 34 under 35 U.S.C. § 103(a) over U.S. Patent Application Publication 2001/0018072 to Unger ("Unger").

During a telephone conference on October 6, 2010 between the Examiner and Applicants' representative, the Examiner indicated that this application would be allowed if a Terminal Disclaimer to U.S. Patent No. 6,589,557 to Straub, *et al.* and U.S. Reissued Patent No. RE40,493 to Straub, *et al.* was filed. In response, and solely to facilitate prosecution, Applicants submit a terminal disclaimer to U.S. Patent No. 6,589,557 to Straub, *et al.* and U.S. Reissued Patent No. RE40,493 to Straub, *et al.*

Allowance of claims 16-21 and 34 is respectfully solicited.

Respectfully submitted,

/Rivka D. Monheit/  
Rivka D. Monheit  
Reg. No. 48,731

Date: October 11, 2010

PABST PATENT GROUP LLP  
1545 Peachtree Street, NE  
Suite 320  
Atlanta, Georgia 30309  
(404) 879-2152  
(404) 879-2160 (Facsimile)